

## KILROE BLOCKED BY LACK OF WITNESSES

Anxious to Prosecute Boursae as Bigamist, E. H. Berger Testifies.

### KEY TO SUIT MISSING

Swann Assistant Dropped Action When He Failed to Find Mrs. Coyne.

Cross-examination of the State's witnesses by Joseph M. Proskauer and William M. K. Olcott, of counsel for Assistant District Attorney Edwin P. Kilroe, who, with Louis E. Swartz, lawyer, is on trial before Supreme Court Justice Weeks charged with failure to prosecute Napoleon A. Boursae, broker, for bigamy, brought out yesterday the fact that Mr. Kilroe permitted the case to drop because of insufficient evidence.

Edward H. Berger, who was at one time counsel for Mrs. Helen Montrose St. Marie Boursae, plaintiff against the broker, testified that on two occasions Mr. Kilroe told him he was ready to go ahead with the prosecution if he could only locate Mrs. Mary Coyne, whose marriage to Boursae was to be the basis of the bigamy charge. When Berger first took the stand he told William Rand, special Attorney-General, that Mr. Kilroe told him, "We're getting into a jam; you'd better adjust your fees with Mrs. Boursae," and on the examination by Mr. Kilroe's lawyers he admitted that the "jam" referred to the difficulty in locating the principal witness, and that Mr. Kilroe said that Berger's fees were no concern to him.

Mrs. Boursae, or Miss Montrose, as she was addressed, startled the court by declaring, when she resumed the stand, that Mr. Kilroe had "instructed" her in taking her in an automobile to visit a Mrs. Joyce, sister to Mrs. Coyne, in New Rochelle. The "instruct," it developed, was in remarks he made about her persistence in seeking to have Boursae prosecuted. She asserted that Swartz, who succeeded Berger as her counsel, told her Mr. Kilroe was to receive \$1,000 of his fee for a settlement out of court.

"Did it never occur to you to mention to Mr. Kilroe that he had been accused of being receptive to bribe money," Mr. Olcott asked.

"No, sir," she replied.

The witness earlier contradicted testimony she had given Tuesday, stating that Mrs. Joyce had told her sister left Boursae because she learned of his previous marriage in Canada. Miss Montrose declared she never had mentioned Canada. Mr. Proskauer, the stenographer's minutes in which she mentioned Boursae's Canadian wife, whereupon she said, "I might have said it."

The case will be continued to-day.

### MIND BLANK, SWEARS

EDITH WILSON'S SLAYER

Negro in Guard Court Says Confessions Were Forced.

The trial of George Washington Knight, a negro charged with the murder of Mrs. Edith Wilson of Perth Amboy on the night of March 12, began yesterday before Justice James J. Herlihy in the Middlesex County Court in New Brunswick. The State examined several witnesses and finished its case, Knight being on the witness stand under direct examination when the trial was adjourned until to-day.

Because of the feeling against Knight, Perth Amboy and Newark, New Jersey, Sheriff William Wyckoff put extra guards about the court house, but there was much muttering in the large crowd that collected outside the building and threats against Knight were heard. Several negroes tried to enter the court room but were chased away. Throughout the trial Knight will be heavily guarded on his trips to and from the court room, and guards at the county jail will also be increased.

Besides the testimony of several witnesses, including John Knight, who testified that he saw Knight with the last of Mrs. Wilson's friends to see her alive, the State introduced two confessions made by Knight, in which he admitted having assaulted and murdered Mrs. Wilson after drinking gin in a saloon. On the witness stand Knight answered questions intelligently, but declared his mind was a blank and that he did not know what had happened. He said he was forced to sign the confessions. The State put into the record a report by alienists showing the negro is sane.

### BROKERS ACCUSED OF COAL AND GRAIN FRAUD

Roman and Adams Said to Be Wanted in Other Cities.

Alfred Roman of 96 Lenox road, Brooklyn, and his partner, George Adams of 373 Park place, Brooklyn, coal and grain brokers, were arrested yesterday on a charge of grand larceny.

Motorcycle Policemen Dougherty halted Roman's big car because it was travelling with its muffler cut out. Roman was so reticent in answering questions that Dougherty took him to the Grand avenue station, where Detective Joseph Owens recognized him. Roman telephoned for Adams, and when he arrived to help his friend he was arrested also.

The police say the men are under indictment in Scranton, Pa.; are wanted in Boston and have operated here. It is alleged their plan is to buy car or boat loads of coal and grain, sell them for cash and disappear without paying the original owner. The specific charge against Roman is made by Samuel Bohannon, coal dealer of 25 Church street, Manhattan, who alleges he sold the man a boatload of coal in February, 1920, for \$5,310.50, which he resold to the Knickerbocker Ice Company without paying him. Roman was held in \$10,000 bail for a hearing next Tuesday. Adams was held in \$10,000 bail on the same day on a short affidavit signed by Detective Owens in which suspicion of stealing a boatload of coal worth \$2,500 from John L. Hallin is charged.

### WORLD TO BE DRY IN 10 YEARS.

W. C. T. U. Head So Predicts on Sailing for South America.

Mrs. Anna A. Gordon, president of the National Woman's Christian Temperance Union, sailed yesterday by Grace liner Santa Ana to visit Peru, Chile, Argentina, Uruguay and Brazil. She said she had no doubt that South America would eventually fall in line with the United States, the leader of the dry countries, and that the whole world would be officially on the water wagon within ten years.

Already the Chilean Government, she said, had warned vineyard owners to find some other way of disposing of their grapes than by converting them into wine, and that Uruguay soon would follow the example of Chile. Julia F. Dean, editor of the *Union Signal*, a W. C. T. U. journal, accompanies Mrs. Gordon.

## STRAWBERRY WINE LEGAL, WITH ALL ITS NATIVE KICK

U. S. Permit to Use Surplus Louisiana Crop to Produce Non-Beverage Intoxicant Probably Opens Way for Blackberries, Dandelions and Their Relations.

WASHINGTON, March 23.—A permit to manufacture wine out of strawberries for non-beverage purposes was issued to-night to the Strawberry Growers Association of Louisiana by the Bureau of Internal Revenue. Provision is made in the permit that no sugar shall be added to increase the alcoholic content of the product.

While no explanation of the issuance of the permit was made by the bureau, officials said that the strawberry growers had appealed to prohibition authorities for permission to set up a winery in order to care for their surplus crop, which was estimated to be worth about \$5,000,000. Under the Volstead act, it was explained, it is legal to establish wineries for the manufacture of non-beverage products for sacramental or medicinal purposes.

### URGES COAL BUYING TO AVERT Famine PRICES

The 'Coal Age' Points Value of Early Contracts.

Hints of "famine prices" of coal next autumn if buyers do not make contracts now are voiced by *Coal Age*, a trade periodical, in its weekly review. At the present time, the paper says, the coal market is distinguished by a lack of interest. Many buyers are asking for quotations on next year's business, but they are holding their ideas down to the level of the spot market and refuse to talk business for the year at figures the coal shipper says are reasonable.

It is felt that unless something is done to break the present deadlock in buying the deficit in stocks may become so great as to precipitate a serious condition next fall. *Coal Age* states, "Seeking to preserve the psychology of the coal buyers' strike, many in the trade find an absolute lack of understanding on the part of some consumers of the real reasons for coal prices and a desire to play the game to the finish, patiently waiting for the best price that can be obtained."

The buyer is uncertain, it is said, as to the amount of coal he will actually need, due to the fact that he does not know what is before him industrially. Many of the coal dealers, it is declared, are indifferent as to what buyers do, and one element "witnesses our present idleness as an opportunity to visit Florida and as holding out excellent chances of famine prices later."

### PRESIDENT HARDING TO LEAD BOLIVAR PARADE

Ceremonies Here on Occasion of Statue Unveiling.

President Harding, it was announced yesterday, will lead a parade of Latin American diplomats and other notables up Fifth avenue on the afternoon of April 19 for the unveiling in Central Park of an equestrian statue of Simon Bolivar, the great American soldier and statesman, which has been presented to the city by the Government of Venezuela.

The parade will begin at Thirty-fourth street and go directly to the park, where President Harding is expected to make a speech touching on the attitude of the Administration toward the Latin American nations. A special train will bring Secretary Hughes and other American diplomats and officers of the army and navy. The President will come the night before. The visiting party, on arriving here, will be the guests of a special Venezuelan mission at a luncheon.

The statue, which is now being placed in position, was executed by Sally James Farham. It was selected several years ago after a competition by sculptors. The statue will take the place of a former statue of "The George Washington of Northern South America," erected in 1885 as a gift from Venezuela and later removed because of its inartistic conception.

Ceremonies also will be conducted on April 17 in Caracas, capital of Venezuela, in which two parks in that city will be named after George Washington and Henry Clay.

### PROHIBITION WHISKY TOO MUCH FOR ANNIE

Worse Than Rat Poison, Declares Scotch Whisk.

"I have had enough of the United States, as the whiskey you pay fifty cents a drink for is worse than rat poison," said Annie Devaney with a decided Scotch accent when arraigned yesterday on a charge of intoxication before Magistrate Walsh in Adams Street Court, Brooklyn.

The woman was arrested late Tuesday night at Myrtle and Washington avenues in that condition while wearing the uniform of the Women's Auxiliary Corps of the British Army, in which she had served during the late war. Just previous to the outbreak of the war the prisoner was sent back to her home in Scotland through the efforts of probation officers after she had been arrested several times in Brooklyn for alleged intoxication.

Magistrate Walsh paroled the prisoner on her promise that she would go to work to earn passage back to Doon, Scotland, where she has relatives.

### ACCUSED OF TAPPING PHONE.

Detective Bureau Head and Employee Held in Bail.

Anthony Senes, head of the Senes Detective Bureau, 135 Broadway, and George Anderson, a detective in Senes's employ, were arraigned yesterday before Judge Koenig in General Sessions on an indictment charging them with tapping telephone wires. When they pleaded not guilty Senes was held in \$10,000 bail and Anderson in \$1,000 bail. It is alleged that on March 9 Senes and Anderson were caught listening in on a tapped wire for the purpose of obtaining information to be used in a civil suit in the Supreme Court in Kings county.

### GETS \$2,000 FOR DOG BITES.

Miss Elizabeth Henry, formerly employed as a maid on the Westbury (L. I.) estate of Bradley Martin, has accepted \$2,000 in settlement for injuries sustained when the Martin watchdog Teddy dragged her from a bicycle and bit her on April 3, 1919. This became known yesterday when counsel for both sides in the action for \$10,000 damages she started informed Supreme Court Justice Wasservogel yesterday the case had been settled out of court. She won a verdict of \$15,000 before Justice Mitchell and a jury, but Justice Mitchell set it aside as excessive.

The association, it was said, plans to erect in Tangipahoa parish of Louisiana a large wine manufacturing plant which will take care of the surplus strawberries of the growers. Whether the principle on which the permit was issued to the strawberry men would apply in other cases officials could not say, but it was suggested that should a surplus of berries occur in other States the producers would be entitled to an opportunity to show whether there was danger of heavy losses unless the establishment of a winery was resorted to.

Such procedure, officials intimated, would not be confined to strawberry producers, but would include products of other juicy berries—blackberries, blueberries and the different shades of raspberries—and might in the case of necessity cover vegetables such as beets and possibly dandelions and elderberries.

### SAYS BANKER WANTS TO BE FAIR.

"I don't know what must be the feelings of a husband and a father whose mind is poisoned with the suspicion that his wife and the mother of his children has yielded to the embraces of the Indian guide, but I can well understand his refusal to credit such an incredible thing for a long time. And even after his wife in a moment of hysteria made that implication herself by confessing her guilt. Now here are the charges made by the plaintiff against the defendant. The defendant comes into court and makes charges against the plaintiff as a matter of defence in his suit for divorce."

After stating that "Mr. Stillman has no desire to be any thing but fair and generous in the matter of temporary alimony and counsel fees," Mr. Nicoll continued:

"The largest sum ever granted by any court in this State was the sum which was granted in the Gould case where I had the honor of representing Mr. Gould. There Mrs. Gould asked for exactly the sum which is asked here, \$120,000 a year. The judge allowed her \$25,000 and \$5,000 counsel fees. That I say, is the largest sum that any court in this State has ever granted."

"And I assume that your honor, if governed by the precedent, would confine yourself to that sum. On the other hand your honor may say, 'Well, Mr. Nicoll, you have given the defendant \$25,000 a year and in the Gould case Judge Bishop pointed out that you have been giving Mrs. Gould \$25,000 a year. In a certain sense you fix the amount which she should have.'"

Mr. Mack, who had grown restive when Mr. Nicoll had spoken of the boy Guy, took a hand in the proceedings. "May I say a word?" he asked. Justice Morschauer nodded and Mr. Mack continued, "I am not interested in what you allow as counsel fees or alimony here. As far as I am concerned it does not make any difference to me whether you allow any or not, except as the boy may derive support from his mother. But I do want to correct one statement that Mr. Nicoll made. He was not present at the hearing and I believe he was misinformed. The evidence given before the referee up to the present time does not show that any other person but James A. Stillman is the father of this infant. The referee determined that the plaintiff was ruled out by the referee."

The documentary evidence is not accepted as yet and I want to say that the only evidence offered by the defendant, that there was competent as either against the child or against the wife, is in the form of a confidential communication as regards the wife, and as to the child even the wife could not testify

clerk, and that is the evidence of six witnesses who testified before Mr. Gleason, as the referee, and I say that the evidence before you shows that the lady whom Mr. Stillman married and who is the mother of his three children, took as a lover an Indian guide, by whom she has an infant, which Mr. Stillman must either acknowledge as a member of his family or must repudiate as illegitimate.

"The infant is the party defendant. Now it appears the evidence before you also shows that this criminal intimacy began as early as 1916 and continued after the infant was born and through 1918, and Mr. Stillman therefore feels it to be his duty to his father's memory and to his family and to his children to press that matter to a conclusion."

"Had it been possible to have ascertained the illegitimacy of the child in any form of proceeding, he would have welcomed that course. But under our code, under our procedure, there is no other way of determining the illegitimacy of the child except by bringing a suit which he has brought making the wife and child, the parties defendant."

"The infant is the party defendant. Now it appears the evidence before you also shows that this criminal intimacy began as early as 1916 and continued after the infant was born and through 1918, and Mr. Stillman therefore feels it to be his duty to his father's memory and to his family and to his children to press that matter to a conclusion."

"The infant is the party defendant. Now it appears the evidence before you also shows that this criminal intimacy began as early as 1916 and continued after the infant was born and through 1918, and Mr. Stillman therefore feels it to be his duty to his father's memory and to his family and to his children to press that matter to a conclusion."

### THE ASSOCIATION, IT WAS SAID, PLANS TO ERECT IN TANGIPAHOA PARISH OF LOUISIANA A LARGE WINE MANUFACTURING PLANT WHICH WILL TAKE CARE OF THE SURPLUS STRAWBERRIES OF THE GROWERS.

Whether the principle on which the permit was issued to the strawberry men would apply in other cases officials could not say, but it was suggested that should a surplus of berries occur in other States the producers would be entitled to an opportunity to show whether there was danger of heavy losses unless the establishment of a winery was resorted to.

Such procedure, officials intimated, would not be confined to strawberry producers, but would include products of other juicy berries—blackberries, blueberries and the different shades of raspberries—and might in the case of necessity cover vegetables such as beets and possibly dandelions and elderberries.

The association, it was said, plans to erect in Tangipahoa parish of Louisiana a large wine manufacturing plant which will take care of the surplus strawberries of the growers.

Whether the principle on which the permit was issued to the strawberry men would apply in other cases officials could not say, but it was suggested that should a surplus of berries occur in other States the producers would be entitled to an opportunity to show whether there was danger of heavy losses unless the establishment of a winery was resorted to.

### THE ASSOCIATION, IT WAS SAID, PLANS TO ERECT IN TANGIPAHOA PARISH OF LOUISIANA A LARGE WINE MANUFACTURING PLANT WHICH WILL TAKE CARE OF THE SURPLUS STRAWBERRIES OF THE GROWERS.

Whether the principle on which the permit was issued to the strawberry men would apply in other cases officials could not say, but it was suggested that should a surplus of berries occur in other States the producers would be entitled to an opportunity to show whether there was danger of heavy losses unless the establishment of a winery was resorted to.

Such procedure, officials intimated, would not be confined to strawberry producers, but would include products of other juicy berries—blackberries, blueberries and the different shades of raspberries—and might in the case of necessity cover vegetables such as beets and possibly dandelions and elderberries.

The association, it was said, plans to erect in Tangipahoa parish of Louisiana a large wine manufacturing plant which will take care of the surplus strawberries of the growers.

Whether the principle on which the permit was issued to the strawberry men would apply in other cases officials could not say, but it was suggested that should a surplus of berries occur in other States the producers would be entitled to an opportunity to show whether there was danger of heavy losses unless the establishment of a winery was resorted to.

### THE ASSOCIATION, IT WAS SAID, PLANS TO ERECT IN TANGIPAHOA PARISH OF LOUISIANA A LARGE WINE MANUFACTURING PLANT WHICH WILL TAKE CARE OF THE SURPLUS STRAWBERRIES OF THE GROWERS.

Whether the principle on which the permit was issued to the strawberry men would apply in other cases officials could not say, but it was suggested that should a surplus of berries occur in other States the producers would be entitled to an opportunity to show whether there was danger of heavy losses unless the establishment of a winery was resorted to.

Such procedure, officials intimated, would not be confined to strawberry producers, but would include products of other juicy berries—blackberries, blueberries and the different shades of raspberries—and might in the case of necessity cover vegetables such as beets and possibly dandelions and elderberries.

The association, it was said, plans to erect in Tangipahoa parish of Louisiana a large wine manufacturing plant which will take care of the surplus strawberries of the growers.

Whether the principle on which the permit was issued to the strawberry men would apply in other cases officials could not say, but it was suggested that should a surplus of berries occur in other States the producers would be entitled to an opportunity to show whether there was danger of heavy losses unless the establishment of a winery was resorted to.

Such procedure, officials intimated, would not be confined to strawberry producers, but would include products of other juicy berries—blackberries, blueberries and the different shades of raspberries—and might in the case of necessity cover vegetables such as beets and possibly dandelions and elderberries.

The association, it was said, plans to erect in Tangipahoa parish of Louisiana a large wine manufacturing plant which will take care of the surplus strawberries of the growers.

Whether the principle on which the permit was issued to the strawberry men would apply in other cases officials could not say, but it was suggested that should a surplus of berries occur in other States the producers would be entitled to an opportunity to show whether there was danger of heavy losses unless the establishment of a winery was resorted to.

clerk, and that is the evidence of six witnesses who testified before Mr. Gleason, as the referee, and I say that the evidence before you shows that the lady whom Mr. Stillman married and who is the mother of his three children, took as a lover an Indian guide, by whom she has an infant, which Mr. Stillman must either acknowledge as a member of his family or must repudiate as illegitimate.

"The infant is the party defendant. Now it appears the evidence before you also shows that this criminal intimacy began as early as 1916 and continued after the infant was born and through 1918, and Mr. Stillman therefore feels it to be his duty to his father's memory and to his family and to his children to press that matter to a conclusion."

### SAYS BANKER WANTS TO BE FAIR.

"I don't know what must be the feelings of a husband and a father whose mind is poisoned with the suspicion that his wife and the mother of his children has yielded to the embraces of the Indian guide, but I can well understand his refusal to credit such an incredible thing for a long time. And even after his wife in a moment of hysteria made that implication herself by confessing her guilt. Now here are the charges made by the plaintiff against the defendant. The defendant comes into court and makes charges against the plaintiff as a matter of defence in his suit for divorce."

After stating that "Mr. Stillman has no desire to be any thing but fair and generous in the matter of temporary alimony and counsel fees," Mr. Nicoll continued:

"The largest sum ever granted by any court in this State was the sum which was granted in the Gould case where I had the honor of representing Mr. Gould. There Mrs. Gould asked for exactly the sum which is asked here, \$120,000 a year. The judge allowed her \$25,000 and \$5,000 counsel fees. That I say, is the largest sum that any court in this State has ever granted."

"And I assume that your honor, if governed by the precedent, would confine yourself to that sum. On the other hand your honor may say, 'Well, Mr. Nicoll, you have given the defendant \$25,000 a year and in the Gould case Judge Bishop pointed out that you have been giving Mrs. Gould \$25,000 a year. In a certain sense you fix the amount which she should have.'"

Mr. Mack, who had grown restive when Mr. Nicoll had spoken of the boy Guy, took a hand in the proceedings. "May I say a word?" he asked. Justice Morschauer nodded and Mr. Mack continued, "I am not interested in what you allow as counsel fees or alimony here. As far as I am concerned it does not make any difference to me whether you allow any or not, except as the boy may derive support from his mother. But I do want to correct one statement that Mr. Nicoll made. He was not present at the hearing and I believe he was misinformed. The evidence given before the referee up to the present time does not show that any other person but James A. Stillman is the father of this infant. The referee determined that the plaintiff was ruled out by the referee."

The documentary evidence is not accepted as yet and I want to say that the only evidence offered by the defendant, that there was competent as either against the child or against the wife, is in the form of a confidential communication as regards the wife, and as to the child even the wife could not testify

clerk, and that is the evidence of six witnesses who testified before Mr. Gleason, as the referee, and I say that the evidence before you shows that the lady whom Mr. Stillman married and who is the mother of his three children, took as a lover an Indian guide, by whom she has an infant, which Mr. Stillman must either acknowledge as a member of his family or must repudiate as illegitimate.

"The infant is the party defendant. Now it appears the evidence before you also shows that this criminal intimacy began as early as 1916 and continued after the infant was born and through 1918, and Mr. Stillman therefore feels it to be his duty to his father's memory and to his family and to his children to press that matter to a conclusion."

"The infant is the party defendant. Now it appears the evidence before you also shows that this criminal intimacy began as early as 1916 and continued after the infant was born and through 1918, and Mr. Stillman therefore feels it to be his duty to his father's memory and to his family and to his children to press that matter to a conclusion."

"The infant is the party defendant. Now it appears the evidence before you also shows that this criminal intimacy began as early as 1916 and continued after the infant was born and through 1918, and Mr. Stillman therefore feels it to be his duty to his father's memory and to his family and to his children to press that matter to a conclusion."

### THE ASSOCIATION, IT WAS SAID, PLANS TO ERECT IN TANGIPAHOA PARISH OF LOUISIANA A LARGE WINE MANUFACTURING PLANT WHICH WILL TAKE CARE OF THE SURPLUS STRAWBERRIES OF THE GROWERS.

Whether the principle on which the permit was issued to the strawberry men would apply in other cases officials could not say, but it was suggested that should a surplus of berries occur in other States the producers would be entitled to an opportunity to show whether there was danger of heavy losses unless the establishment of a winery was resorted to.

Such procedure, officials intimated, would not be confined to strawberry producers, but would include products of other juicy berries—blackberries, blueberries and the different shades of raspberries—and might in the case of necessity cover vegetables such as beets and possibly dandelions and elderberries.

The association, it was said, plans to erect in Tangipahoa parish of Louisiana a large wine manufacturing plant which will take care of the surplus strawberries of the growers.

Whether the principle on which the permit was issued to the strawberry men would apply in other cases officials could not say, but it was suggested that should a surplus of berries occur in other States the producers would be entitled to an opportunity to show whether there was danger of heavy losses unless the establishment of a winery was resorted to.

### THE ASSOCIATION, IT WAS SAID, PLANS TO ERECT IN TANGIPAHOA PARISH OF LOUISIANA A LARGE WINE MANUFACTURING PLANT WHICH WILL TAKE CARE OF THE SURPLUS STRAWBERRIES OF THE GROWERS.

Whether the principle on which the permit was issued to the strawberry men would apply in other cases officials could not say, but it was suggested that should a surplus of berries occur in other States the producers would be entitled to an opportunity to show whether there was danger of heavy losses unless the establishment of a winery was resorted to.

Such procedure, officials intimated, would not be confined to strawberry producers, but would include products of other juicy berries—blackberries, blueberries and the different shades of raspberries—and might in the case of necessity cover vegetables such as beets and possibly dandelions and elderberries.

The association, it was said, plans to erect in Tangipahoa parish of Louisiana a large wine manufacturing plant which will take care of the surplus strawberries of the growers.

Whether the principle on which the permit was issued to the strawberry men would apply in other cases officials could not say, but it was suggested that should a surplus of berries occur in other States the producers would be entitled to an opportunity to show whether there was danger of heavy losses unless the establishment of a winery was resorted to.

### THE ASSOCIATION, IT WAS SAID, PLANS TO ERECT IN TANGIPAHOA PARISH OF LOUISIANA A LARGE WINE MANUFACTURING PLANT WHICH WILL TAKE CARE OF THE SURPLUS STRAWBERRIES OF THE GROWERS.

Whether the principle on which the permit was issued to the strawberry men would apply in other cases officials could not say, but it was suggested that should a surplus of berries occur in other States the producers would be entitled to an opportunity to show whether there was danger of heavy losses unless the establishment of a winery was resorted to.

Such procedure, officials intimated, would not be confined to strawberry producers, but would include products of other juicy berries—blackberries, blueberries and the different shades of raspberries—and might in the case of necessity cover vegetables such as beets and possibly dandelions and elderberries.

The association, it was said, plans to erect in Tangipahoa parish of Louisiana a large wine manufacturing plant which will take care of the surplus strawberries of the growers.

Whether the principle on which the permit was issued to the strawberry men would apply in other cases officials could not say, but it was suggested that should a surplus of berries occur in other States the producers would be entitled to an opportunity to show whether there was danger of heavy losses unless the establishment of a winery was resorted to.

Such procedure, officials intimated, would not be confined to strawberry producers, but would include products of other juicy berries—blackberries, blueberries and the different shades of raspberries—and might in the case of necessity cover vegetables such as beets and possibly dandelions and elderberries.

The association, it was said, plans to erect in Tangipahoa parish of Louisiana a large wine manufacturing plant which will take care of the surplus strawberries of the growers.

Whether the principle on which the permit was issued to the strawberry men would apply in other cases officials could not say, but it was suggested that should a surplus of berries occur in other States the producers would be entitled to an opportunity to show whether there was danger of heavy losses unless the establishment of a winery was resorted to.

clerk, and that is the evidence of six witnesses who testified before Mr. Gleason, as the referee, and I say that the evidence before you shows that the lady whom Mr. Stillman married and who is the mother of his three children, took as a lover an Indian guide, by whom she has an infant, which Mr. Stillman must either acknowledge as a member of his family or must repudiate as illegitimate.

"The infant is the party defendant. Now it appears the evidence before you also shows that this criminal intimacy began as early as 1916 and continued after the infant was born and through 1918, and Mr. Stillman therefore feels it to be his duty to his father's memory and to his family and to his children to press that matter to a conclusion."

### SAYS BANKER WANTS TO BE FAIR.

"I don't know what must be the feelings of a husband and a father whose mind is poisoned with the suspicion that his wife and the mother of his children has yielded to the embraces of the Indian guide, but I can well understand his refusal to credit such an incredible thing for a long time. And even after his wife in a moment of hysteria made that implication herself by confessing her guilt. Now here are the charges made by the plaintiff against the defendant. The defendant comes into court and makes charges against the plaintiff as a matter of defence in his suit for divorce."

After stating that "Mr. Stillman has no desire to be any thing but fair and generous in the matter of temporary alimony and counsel fees," Mr. Nicoll continued:

"The largest sum ever granted by any court in this State was the sum which was granted in the Gould case where I had the honor of representing Mr. Gould. There Mrs. Gould asked for exactly the sum which is asked here, \$120,000 a year. The judge allowed her \$25,000 and \$5,000 counsel fees. That I say, is the largest sum that any court in this State has ever granted."

"And I assume that your honor, if governed by the precedent, would confine yourself to that sum. On the other hand your honor may say, 'Well, Mr. Nicoll, you have given the defendant \$25,000 a year and in the Gould case Judge Bishop pointed out that you have been giving Mrs. Gould \$25,000 a year. In a certain sense you fix the amount which she should have.'"

Mr. Mack, who had grown restive when Mr. Nicoll had spoken of the boy Guy, took a hand in the proceedings. "May I say a word?" he asked. Justice Morschauer nodded and Mr. Mack continued, "I am not interested in what you allow as counsel fees or alimony here. As far as I am concerned it does not make any difference to me whether you allow any or not, except as the boy may derive support from his mother. But I do want to correct one statement that Mr. Nicoll made. He was not present at the hearing and I believe he was misinformed. The evidence given before the referee up to the present time does not show that any other person but James A. Stillman is the father of this infant. The referee determined that the plaintiff was ruled out by the referee."

The documentary evidence is not accepted as yet and I want to say that the only evidence offered by the defendant, that there was competent as either against the child or against the wife, is in the form of a confidential communication as regards the wife, and as to the child even the wife could not testify

clerk, and that is the evidence of six witnesses who testified before Mr. Gleason, as the referee, and I say that the evidence before you shows that the lady whom Mr. Stillman married and who is the mother of his three children, took as a lover an Indian guide, by whom she has an infant, which Mr. Stillman must either acknowledge as a member of his family or must repudiate as illegitimate.

"The infant is the party defendant. Now it appears the evidence before you also shows that this criminal intimacy began as early as 1916 and continued after the infant was born and through 1918, and Mr. Stillman therefore feels it to be his duty to his father's memory and to his family